



**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re the Application of: **Hiroyuki OHTA et al.**

Group Art Unit: **2812**

Serial No.: **10/721,080**

Examiner: **Walter Lee Lindsay Jr.**

Filed: **November 26, 2003**

Confirmation No.: **7846**

For: **SEMICONDUCTOR DEVICE HAVING STI WITHOUT DIVOT AND  
ITS MANUFACTURE**

Attorney Docket Number: **032117**

Customer Number: **38834**

**RESPONSE TO RESTRICTION REQUIREMENT**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, Virginia 22313-1450

January 13, 2005

Sir:

This paper is submitted in response to the Official Action dated December 28, 2004.


In the Action, restriction is required between Group I, Claims (15-24) and Group II, Claims (1-4).

Applicant(s) hereby elect(s) the subject matter of Group I, Claims (15-24) for prosecution in this application. This election is made without traverse, and it is understood that Applicants' rights to the filing of a divisional application directed to the non-elected subject matter under 35 U.S.C. §120 and 35 U.S.C. §121 are retained.

Response to Restriction Requirement  
Serial No. 10/721,080  
Attorney Docket No. 032117

If this paper is not timely filed, Applicant(s) respectfully petition(s) for an appropriate extension of time. The fees for such an extension or any other fees that may be due with respect to this paper may be charged to Deposit Account No. 50-2866.

Respectfully submitted,  
**WESTERMAN, HATTORI, DANIELS & ADRIAN, LLP**

  
Michael J. Caridi  
Attorney for Applicants  
Registration No. 56,171  
Telephone: (202) 822-1100  
Facsimile: (202) 822-1111

MJC/cas